

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Edwin M. Rocky Laur, <i>aka Rocky Pezzetti</i> ,)	C/A No. 6:11-0764-HMH-KFM
)	
Plaintiff,)	
)	
vs.)	Report and Recommendation
)	
Shanon Annette Purks;)	
Todd Martin, <i>Owner of Harley Davidson of</i>)	
<i>North Texas</i> ; Harley Davidson, Inc.,)	
)	
Defendants.)	
)	

This is a civil action filed by a *pro se* litigant. Under Local Civil Rule 73.02 DSC, pretrial proceedings in this action have been referred to the undersigned United States Magistrate Judge. In an order (ECF No. 9) filed in this case on March 31, 2011, the undersigned granted Plaintiff's Motion for Leave to Proceed *in forma pauperis* and directed Plaintiff, within twenty-one (21) days, to submit summonses, Forms USM-285, and Answers to Rule 26.01 Interrogatories.

The Clerk of Court mailed a copy of the order of March 31, 2011, and the "proper form" documents to Plaintiff at the address listed in the Complaint (ECF No. 11). The deadline for Plaintiff to comply with the order was April 25, 2011. Plaintiff has not responded to the order of March 31, 2011.

Recommendation

Accordingly, it is recommended that the District Court dismiss the above-captioned case *without prejudice* and without issuance and service of process because Plaintiff has not responded to the order of March 31, 2011. See *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, Misc. No. 3:07-MC-5015-JFA (D.S.C. Sept. 18, 2007). Plaintiff's attention is directed to the important Notice on the next page.

April 28, 2011
Greenville, South Carolina

s/Kevin F. McDonald
United States Magistrate Judge

Notice of Right to File Objections to Report and Recommendation

The plaintiff is advised that he may file specific written objections to this Report and Recommendation with the District Judge. **Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections.** “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

**Larry W. Propes, Clerk of Court
United States District Court
300 East Washington Street — Room 239
Greenville, South Carolina 29601**

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).